



Fw: Kingston Bay by Friends of NCAC

Bruce Gibson to: Annette Ramirez

Sent by: **Cherie Aispuro**

05/09/2013 10:24 AM

fyi

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From: Cherie Aispuro/BOS/COSLO
To: Bruce Gibson/BOS/COSLO@Wings
Date: 04/26/2013 02:18 PM
Subject: Kingston Bay by Friends of NCAC



KingstonFriendsofNCAC.pdf

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April 3, 2013

Kingston Bay Senior Living project issues in addition to the appeal filed:

1. The viability of Kingston Bay needs to be considered. From a recent informal survey taken, the project will not accommodate the needs of almost all of the senior Cambrians. More than 90% of SLO County residents want to live in their homes as long as possible. This number comes from people who work in senior care and related fields. When people are no longer able to take care of themselves, nursing care or an assisted living facility may be an option, if they have enough money. Medicare does not pay for long-term assisted living. Non-ambulatory seniors will be turned away from Kingston Bay. No one wants an empty building replacing open space as the Gateway to Cambria. (Although this would greatly diminish the negative impacts)
2. We are in a water moratorium in Cambria. This project is on a Commercial Water Wait List and it is uncertain whether Cambria has enough water to supply a project of this magnitude. The project is equivalent to 27 homes and a communal restaurant. The CCSD approved around 11.78 dwelling units of water to include food service, offices and public spaces. Public consumption is usually more than private as there are no incentives or benefits to reduced water consumption. This is an affront to those on the water wait list. A Senior Living Center will use much more water than other developments due to the washing of bed linens, towels, kitchen facilities and more. It will have a higher concentration of hazardous waste contaminating our sewer system.
3. The senior living project is highly visible from our designated Scenic Highway One, making it a problematic issue for the Coastal Commission. Our primary economy is now tourism. With projects like this commercial building, the desire to visit a rural village decreases.

4. If the project is too large to accommodate *proper* ingress and egress, it needs to be diminished in size.
5. We are concerned with off street parking of automobiles and food service trucks.
6. There needs to be an unbiased real time traffic report, not computerized standards. The county says our peak traffic is a few minutes before 8:00am. If folks work in Cambria they don't all start work at 8. Many Cambrian's leave for work quite early for jobs in SLO and Paso. The Regional Transit Authority arrives around 6:20am Monday-Friday. Kingston project will add to that early morning traffic congestion, despite what the county reports. Take a look at the blind corner—I did and it's pretty scary.
What provisions will there be for food-service semi trucks to make deliveries.
7. Idling gasoline and diesel trucks are highly polluting.
8. The west side of Highway One location is primarily a residential area designated multi-family, not commercial, making it non-conforming. This is a commercial project being proposed by a developer from out of the area. There is no compelling reason to issue a special designation for this project.
9. The Air Pollution Control District needs to begin a study to determine if the pollution caused by the food service and commercial traffic will negatively impact the surrounding neighborhoods. Automobile and truck exhaust (PM 2.5), especially diesel fumes are especially dangerous to older adults. We wouldn't want our parents living their last days in a facility next to Highway One and delivery trucks.
10. The site is at the middle part of a hill which drains significant amounts of rain and landscape water toward Highway One. The lowest part of the property drains water toward a culvert that we believe runs under Highway One and ends up in Santa Rosa Creek. The enormous amount of hardscape will significantly increase pollution run-off. For best practices, permeable pavers, turf paver and the like need to be used to help prevent runoff.
11. Erosion and sedimentation from grading could be significant.

12. The day-long cooking and clean-up activities are going to pose a significant air quality issue to surrounding residences. What will be done to help mitigate the gasses, dust, odors, fumes and unpleasant odors? This problem is quite evident when the Main Street Grill creates huge billows of smoke each day that pollute the lungs of people in a wide surrounding area with PM 2.5—the worst type of Particulate Matter pollution. The food smells will also be unpleasant for neighbors.
13. Noise with ambulances traveling to and from that area will be problematic for neighbors.
14. SLO County Energy Wise plan proposes to reduce travel trips between cities – this project encourages car travel up Highway One rather than travel to areas that are already more populated like San Luis Obispo or Santa Maria.
15. The "Kingston" Bay project is not in character with Cambria.
16. Is this project located within or near a flood plain?
17. Sentence deleted. Applicant needs to demonstrate a water runoff plan with mitigation before the project is approved.
18. The traffic study already indicates a substantial amount of traffic on Ardath and Highway One. The applicant must address his plans to mitigate the impact of his project before approval. This includes a right hand turn lane from Ardath onto Highway One.
19. Mr. King was asked about his plans to meet Title 24 and CALGreen at the MUP hearing. He refused to answer. In order for this project to go forward, it needs to be exemplary in its effects on sensitive habitat and air quality.
20. As a commercial enterprise, employees will be working 24 hours a day with accompanying vehicular noise and pollution.
21. A sensitive habitat study needs to be performed and mitigation measures put in place.
22. An EIR needs to be performed before open space is forever destroyed.

23. What is the landscaping plan? Do they plan for grass? Will they use pesticides that pollute our ground water? Will they use gas-powered mowers and leaf blowers? We need to be assured this will not happen. They must be required to landscape with drought tolerant plantings and preferably xeriscape (no water).

24. Will they be required to install waterless urinals and other water saving appliances?

25. This is the wrong project in the wrong location.

26. This project will be using more water than the multi-family zoning allows.

27. Who will monitor the project to be sure the construction waste and pollution conform to the county sustainability plan which is more stringent than CALGreen standards.

28. Will air-conditioning be installed? This is a major CO2 producer which is known to create Greenhouse Gas (GHG). The applicant must be required to use radiant heating, a heat recovery ventilation unit, sealed-combustion water heaters. They should be required to orient the building to capture southern exposure and passive heat gain. In Cambria this can eliminate the need for a mechanical heat source and air-conditioning.

29. Will compressed wood products be used that off-gas the chemical urea-formaldehyde? Will paints, stains and other finishes be used that release organic solvents into the air?

30. The provisions of the scenic highway designation do not allow for large commercial buildings with signage on the view corridor.

31. How does the County justify using a Minor Use Permit process for a project of this magnitude? The fact that they approved a Mike Clark proposed project more than 15 years ago has no bearing on the current project and should never have been used as a criteria to allow a new similar project to be pushed through the process.

32. Each of these issues need to be addressed one by one. If not, a Coastal Development Permit must be issued.

33. According to the December 2012 Cambria Urban Reserve Line and Zoning map, the Kingston Bay project is outside of the urban reserve line. This is unacceptable for conscientious planning. See: http://www.sloplanning.org/gis/mapimagepdf/Cambria_URL_LUC.pdf
34. If the County approves the project without the applicant answering and mitigating problems, the project will be appealed to the Coastal Commission.
35. Applicant needs to use the current 2013 CALGreen codes enacted in January and the additional regulations set by the County.
36. Property should not be 3 stories.
37. The open space seems to be unusable by the residents. Walking paths through the trees and landscape are needed.
38. Memory care patients need more than a walled-in patio for fresh air.
39. Applicant should not be allowed to change the designation from multi-family to commercial.
40. What size and design of a kitchen will there be? What water saving and composting measures will be use?
41. Parking lot should not be on the Scenic Highway side of the building.
43. An irrigation plan for all of the vegetation and ground cover must be designated before the project is approved.
44. Application does not address the commercial aspect of the project. This is by far the most objectionable aspect of the project.
45. The "surface archeological survey" is too cursory to be of value. Application indicates that someone else did the survey. Who did it and when?
46. Solid waste disposal plan does not address the food waste and biological and hazardous material associated with nursing care. Where and how will medical hazardous waste be disposed?

47. Will the applicant recycle or use sustainable practices in the operation? Just because the recycling containers are present, does not assure recycling.
48. Will they compost the food and other waste?
49. Best practices for senior living would include a walkable neighborhood. All trips for this project will require automobile or van transport adding to Greenhouse Gas pollution.
50. Where will the cistern be located and how many gallons will it hold?
51. Will the applicant incorporate a gray water system?
52. Will local contractors and sub-contractors be used or will they bring their crew from Fresno—more pollution.
53. Applicant must justify removing trees, especially mature oak, in an area they designated as open space. There appears to be no reason to clear cut. The county does not permit indiscriminate removal of mature trees for convenience. The feasibility of 40 new trees drawn on the plan needs to be addressed, as the project may be too large to allow the trees a necessary drip line.
54. The amount of dust (PM10) and construction pollution will be significant—compromising lungs and circulation systems of the residents of Cambria. The applicant needs to be held responsible for PM10 related illnesses of the neighboring residences.
55. The required retention basins are not present. However, they have indicated bioswales, vegetated trenches, located along part of Green Street, but not around the parking lot where it is most needed. The bioswales used in lieu of gutters for treatment and infiltration are not practical for cleaning roof water run-off.

56. Laurel, NCAC alternate, told me the project will not use CCSD water for landscaping. How can we make sure this happens? King tells us they will use storm water and a cistern, but so far no details have been disclosed. We don't know the capacity or the location of the tank or tanks. Will they be forced to conform or will they just pay an in lieu fee. They have bioswales around parts of the building which are used to capture rainwater in lieu of gutters. That water is meant to percolate into the aquifer, not be captured for storage. There needs to be storm water run-off plan.

57. The Jan. 2013 CALGreen code requires commercial projects over 10,000 square feet to provide at least 3% of the required parking spaces (but no less than one space) to include electrical vehicle infrastructure. This would be an excellent location and a gesture of good will to Cambria and its visitors. to put this in place. Conduit for solar panels would also be best practices.

58. The county should not approve a commercial project when the builder does not wish to conform to the 2013 SLO County Green Standards requirements, including: long-term public health, welfare, and environmental health (especially for seniors), energy efficient buildings, water and resource conservation, waste reduction, and reduced long-term building operation and maintenance costs.

59. Airlin Singewald told the land use committee to push this project through quickly because of the Business Assistance Team Policy, document of March 30, 2012. We need to find out if King submitted this form as it isn't in the documentation I have seen. This project is not in an urban area (it is within the urban reserve line). They are not being required to do an EIR, which is specifically not excluded in the agreement. I question whether maid service as qualifying as a QUALITY job. Maybe the administrator from Fresno and the nurse(s). That's 2-3 jobs.

Business Assistance Team Agreement:

CRITERIA FOR EXPEDITED PROCESSING Businesses in URBAN areas as shown in the County General Plan that will create permanent QUALITY jobs are eligible for expedited processing of all related County permits (Land

Use, Grading, Building etc.). The severity of potential environmental impacts and the subsequent level of environmental review (i.e. Categorical Exemption, Environmental Impact Report, etc.) will also be considered when determining eligibility for expedited processing.

60. Laurel Steward asked Mr. King about the number of employees and the salaries. He told her he didn't know because he will turn the operation of the project over to a management company. So, the additional jobs aspect is unconfirmed. We don't know if it qualifies for the Business Assistance fast track?

61. The average monthly cost for Kingston will be \$6,000.00 Mr. King said he did a survey and that's what Cambrian's will pay. I do know that the rates in SLO County are much higher than Fresno. How many Cambrian's will be able to afford this amount without selling their largest asset? People who volunteer to live in Senior Living must sell their home and car and give all their worldly possessions to the keepers of the house. I exaggerate, but not by far. In return, someone will cook their meals (no nutritionist on staff) wash their linens, clean their rooms, and take them to the doctor or Bingo on occasion. The King project will be similar to Heritage House in Santa Barbara, owned by Julie McGeever. They are a preventative care facility, with real trauma a scarce occurrence.

62. (Add this to existing document) We are not afflicted with NIMBYism ("Not In My Back Yard"). This project would be a good idea for actual nursing care, but not for mere Senior Living. Cambria is filled with seniors living in their homes and will do so as long as possible. We have churches, CAN, Meals on Wheels, The Community Bus and other food and care services to take care of our community. I cannot emphasize strongly enough. Kingston Bay is not nursing care. It's for those people who are able to get around on their own—UNASSISTED. When people are no longer able to live at home, Kingston will not be an option.

63. Mr. King told Laurel Stewart that, if the project fails as senior living, it will not be turned into apartments because the units are too small and it has a communal kitchen.

64. In light of their recent actions and intent to release will serve letters, we do need to question the CCSD. They are making some very bad water and sewer decisions. Who are they? What are their qualifications? Did they do any research to determine average water use for this type of facility.

65. The ambulance and fire departments signed off on the project. They claim they have enough room to get in and out of the project. They indicated they won't be impacted with extra loads because the Kingston staff will offset trips with Kingston the vans. Will Kingston take responsibility with untrained attendants? We can imagine a situation where a resident falls and breaks a hip. The aid says, "Let's get up and walk over here to the van so we will take you to Sierra Vista."

Thank you very much for scrutinizing this proposed project for the health, safety and well-being of Cambria

Sincerely,

Claudia Worthen

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**Fw: William Seavey opposes Kingston Bay Facility****Bruce Gibson** to: Annette Ramirez

05/09/2013 10:25 AM

Sent by: **Cherie Aispuro**

fyi

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Date:

04/06/2013 12:36 PM

Subject:

William Seavey opposes Kingston Bay Facility



William Seavey Opposes Kingston Bay Senior Facility.doc

Subject: Kingston Bay Senior Living Project Should Be Opposed

by William Seavey

The gateway to our neighborhood adjoining Ardath Street, Lodge Hill, has a prominent blue highway sign whose two words rather sum up the problem with the proposed senior assisted living center called Kingston Bay--"No Services."

At least, up until now. Not that there aren't SOME services in the neighborhood, such as vacation rentals and art studios (and yes, in the interest of full disclosure, we have a licensed vacation rental--and also happen to be on the proposed facility's lot line.)

Neighborhoods are typically where little or no sizable commercial activity is conducted. Kingston Bay violates this adage, big time. Lodge Hill is Cambria's largest neighborhood and arguably represents one of three initial entrances into town (the others being Highway 1 and Main Street) from the south. The proposed senior care facility called Kingston Bay would detract from that.

My wife and I were not initially opposed to Kingston Bay. A previous senior living project by Mike Clark seemed pre-ordained until the downturn and Clark nearly lost the land to back taxes in 2012. The eight lots with a grandfathered water meter for, I understand, multi-family (not really commercial) construction had languished and we grew fond of the view of open space over the years--a gate on our land even allowed us to cross over it to another parcel where two horses graze.

What we did find unsettling in 2005 was that we were not informed by our agent that this project was in the works next door. We thought about suing (for lack of disclosure) but were new to the community at the time and didn't want to rock the boat. And, in theory, we agreed that Cambria needed an assisted living center and joked that when we became "doddering" we could just walk around the corner (or through the gate?) for new accommodations!

(As it turns out, the joke may be on us).

Following the downturn and just before the tax sale, the lots were listed, initially for \$425,000, with no takers. (I was interested but didn't have the money at the time). Then the parcels transitioned to another local broker, Sotheby's, and went for a whopping \$2 million to the "perfect" buyer-- another senior home developer with more experience than Clark had had.

This is a bit of the back story that few know much about. Early in the process of getting approvals we contacted Jeff King, the developer, who gave us a walking tour. Our main interest in this was to get a tall wall to block any ill effects of the development, such as construction noise, or invasions of our property. We managed to convince a couple other neighbors of the need for this and passed on a notarized letter to King. We attended a couple hearings not to speak out against the project but to defend the wall idea.

My wife really was upset from the start, but I have to admit I couldn't find reasons to oppose Kingston Bay early on. I didn't want to be accused of nimbyism, or of having a vested interest in keeping Kingston Bay out (our vacation rental). But as I read the several letters and a guest op-ed in the local *Cambrian* expressing real concerns (from people who were not even living near the facility!) I began to realize the arguments against might hold water.

This IS a very large development with 41 beds, occupying nearly 30,000 sq. ft., with a great need for adequate parking adjacent to Ardath--which is the only road besides Burton that funnels traffic from Lodge Hill onto Highway 1 or across it to Main Street. Such a project could cripple traffic flow from what is already a bit of a tangle at times.

Why? The coming and goings of a couple dozen staff members, supply trucks, and resident

visitors. Turns in and out onto Ardath so close to Highway 1 could certainly be a regular hazard to through traffic deep into the neighborhood. It might even impede emergency vehicles--and ambulances enter the area regularly. Developer King has promised to mitigate these problems, but they may truly be intractable.

Another serious issue IS whether this is the affordable senior care that Cambria deserves--and whether it is even necessary. Cherish House says it's not needed (and did an "informal" survey to prove it) but then they have their own biases since they care for seniors. It sort of seems obvious that a percentage of a community of 6500, most of whom are over 50, will eventually need assisted living and even an Alzheimer's unit as proposed by King..

However, the monthly care is projected to cost between \$4200 and \$6500--affordable for a few, but no bargain for many others. The children of elderly parents will likely be making some of the decisions re: cost, and while we would all want the best for our relatives, a \$3000 per month facility down the road in Morro Bay might be a deal maker (or breaker). One can't assume that only local residents will occupy the facility, as these children or other kin are not likely to be living locally.

An issue that hasn't really been discussed is: how much development are we going to allow in Cambria now that real estate is taking off again? An equally large project of homes for low income has been proposed by People's Self Help Housing of SLO. One big difference is that this agency has been successfully developing low income housing projects in the county for many years now. Their track record is sterling, and the need clearly demonstrable. Also, their project is not slated for near-Highway 1 visibility as Kingston Bay is.

Both projects put serious stress on our water resources, yet we probably cannot deny them based on that alone since the meters have already been approved (I believe). Note: Kingston Bay's offer to mitigate its residents' water usage by storing runoff from the neighborhood SOUNDS good yet rainwater runoff (as I know from my water storage seminars) has never been in any CCSD plan to provide a more dependable water supply to Cambrians...

What we really need is to decide if ANY large developments should happen here, just as we decided not to allow franchised business establishments (except banks) into the downtown core. These are questions of community character, size and manageability--not only of "property rights." It is not necessarily nimbyism to want a community balanced for overall quality of life.

The approval process for Kingston Bay is already well underway and may not be able to be derailed. In fairness, I want to say that this development, from the renderings, is not likely to be a monstrosity, as it is being designed to "blend in." Yet King may not have anticipated the opposition that seems to be developing over time as word gets out. It ain't over till it's over...

Of course, the parcel WILL be developed one day, whether by King or others. But a better fit is individual residential housing or, ideally, a "pocket" park.

As former North Coast Advisory Commission Chair Claudia Worthen recently reported in the Cambrian (in a rather scathing critique of Kingston Bay), the project has been appealed to the County Board of Supervisors in SLO and is set to be heard May 14.

My wife and I plan to be there and will speak. If you wish to form a carpool, call us at 924-1719 (email billseavey@gmail.com). Or if you live in the neighborhood and wish to sign a petition because you can't (or wish not to) make the meeting, let us know, also.

William Seavey is an author (books include *Moving to Small Town America*, *The Eden Seeker's Guide* and *Crisis Investing and Entrepreneurship*) and activist